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6 JACK WAYNE FRIEND,  
7 Petitioner,  
8 v.  
9 RON BROOMFIELD, Acting Warden,  
10 California State Prison at San Quentin,  
11 Respondent.

Case No. 15-cv-03514-HSG  
**ORDER VACATING STAY**  
Re: Dkt. No. 88

12 On December 1, 2017, this matter was stayed pursuant to *Rhines v. Weber*, 544 U.S. 269,  
13 278 (2005), so that petitioner could exhaust certain of his habeas claims in the state courts. ECF  
14 Doc. No. 59. On June 21, 2022, petitioner filed a Motion for Order Vacating Stay indicating that  
15 state court exhaustion proceedings have concluded. ECF Doc. No. 88. A response to petitioner's  
16 motion to vacate the stay was due July 5, 2022, but none was filed. Accordingly, for good cause  
17 shown, petitioner's Motion for Order Vacating Stay is **GRANTED** and the stay is **VACATED**.

18 With the stay vacated, this matter resumes its posture at the time the stay was entered.  
19 Petitioner has filed a finalized habeas petition. ECF Doc. No. 35. Pursuant to *Habeas Corpus*  
20 Local Rule 2254-29, respondent must either file a motion regarding exhaustion or answer the  
21 finalized petition. Accordingly, on or before August 5, 2022, the parties shall meet and confer  
22 regarding exhaustion or the filing of a responsive pleading, *see Habeas Corpus* Local Rule 2254-  
23 29(b), and shall file a joint case management statement proposing a schedule for the filing of  
24 further motions or responsive pleadings on or before August 12, 2022.

25 **IT IS SO ORDERED.**

26 Dated: 7/15/2022

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HAYWOOD S. GILLIAM, JR.  
United States District Judge